

## DECLARATION FOR UNITED STATES PATENT APPLICATION, POWER OF ATTORNEY, DESIGNATION OF CORRESPONDENCE ADDRESS

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### A HEATING HERBAL APPARATUS

the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_ [if applicable];

☒ was filed under the Patent Cooperation Treaty on May 31, 2004, Serial No. PCT/CN2004/000566, the United States of America being designated.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s) Number	Country	Date Filed	Priority Claimed	
			Yes	No
<b>03126716.5</b>	<b>China</b>	<b>May 30, 2003</b>	✓	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status
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I hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Steven M. Rabin (Reg. No. 29,102), Robert H. Berdo, Jr. (Reg. No. 38,075), Phillip G. Avruch (Reg. No. 46, 076) and Allen Wood (Reg. No. 28,134), 1101 14 Street, N.W., Suite 500, Washington, D.C. 20005, Telephone: (202)371-8976; Fax: (202)408-0924. Address all correspondence to RABIN & BERDO, P.C., 1101 14 Street, N.W., Suite 500, Washington, D.C. 20005.

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Patent Trademark Office

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from the undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney, patent agent, or patent representative as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

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**DECLARATION FOR UNITED STATES PATENT APPLICATION,  
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature:  X Date: 2005-10-12 X

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